

the Court of Civil Appeals, Judge of the Court of Criminal Appeals and Judge of the Supreme Court by the different political parties in this State, by conventions, under such rules and regulations as may be prescribed by the executive committees of said parties; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

ELEVENTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, January 25, 1921.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|------------|-----------|
| Bailey. | NcMillin. |
| Baugh. | McNealus. |
| Buchanan. | Murphy. |
| Carlock. | Page. |
| Clark. | Parr. |
| Cousins. | Richards. |
| Darwin. | Rogers. |
| Davidson. | Russell. |
| Dudley. | Suiter. |
| Fairchild. | Watts. |
| Floyd. | Williams. |
| Kall. | Witt. |
| Harp. | Wood. |
| Hertzberg. | Woods. |
| Lewis. | |

Absent.

Bledsoe.

Absent—Excused.

Dorough.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator McNealus:

S. B. No. 101, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Section 1, Chapter 113 of the General Laws of the Regular Session of the Thirty-sixth Legislature by increasing the annual license fee on commercial vehicles and interurban commercial vehicles, and amending Section 16a added to Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-Sixth Legislature by increasing the license fee on commercial and interurban commercial vehicles based upon carrying capacity and per mile traveled, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Buchanan:

S. B. No. 102, A bill to be entitled "An Act providing for the appointment by the Board of Directors of the Agricultural and Mechanical College of Texas of a State Forester, prescribing his qualifications, defining his duties and powers of said Board, authorizing them to acquire lands for the establishment of tree nurseries and the distribution of trees to the citizens of this State; authorizing the establishment of State forests for demonstration purposes, authorizing the establishment of State forests on lands now belonging to the State, and the acquiring of title in the name of the State to lands and forests necessary for such purposes; vesting in said Board the care, custody, control and regulation of such lands; authorizing the disposition by sale, license, permit or other appropriate means of any timber or other products, and to lease under limited permit such land, water or other resources of State forests for a reasonable charge; providing that all State lands coming under the provisions of said Act, together with all lands acquired by the Board, shall be subject to all county

and local taxation of every kind and character but shall be exempt from all State taxes; providing for the appointment of a commission of appraisers to appraise the value of lands so purchased and for their compensation; prohibiting the wilful and negligent setting fire to any forest, timber, wood, brush or grass land; and authorizing the State Forester to expend funds in extinguishment of fires and for reimbursement therefor by suit instituted by the Attorney General of the State, and fixing the venue of such suit; providing that costs may be assessed as part of the penalty in such suit, and the method of arriving at such penalty; prohibiting the operation of any locomotive, logging engine, portable or stationary engine burning wood, coke or coal, within two hundred feet of any cut-over pine land or pine, cedar or commercial hardwood forests under certain conditions, and authorizing the Board to prescribe rules for equipment of such engine, fixing penalties for violation of the Act, and authorizing the State Forester to prepare notices on destruction caused by forest and grass fires and for the distribution of such notices, and fixing the penalty for destruction of the notices so posted; authorizing the commissioners' court to conduct forest protection under the Act; requiring the owners of cut-over lands to leave standing not less than one nine seed tree on each acre, prescribing the dimensions of such trees; providing for the designation of lands susceptible of agricultural development; providing that those engaged in the business of cutting timber or collecting gum for commercial purposes shall make quarterly reports to the Comptroller and pay to the Comptroller twelve and one-half cents for each one thousand board feet of lumber cut, and five cents for each barrel of crude gum collected; fixing a penalty for failure to make such report, and providing that moneys so collected shall be paid into the State treasury to the credit of the State Forestry fund to be expended upon warrants drawn by the Board of Directors, and making an appropriation of such amount; authorizing the Board of Directors to make all necessary rules and regulations concerning the necessary activities of the Act, and to suspend such rules; providing that the Act

shall take effect from and after July 1st, 1921, and that if any provision, subdivision or part shall be adjudged to be without force or effect, the remaining part or provisions of the Act shall not be affected."

Read first time and referred to Committee on State Affairs.

By Senators Richards and Clark:
S. B. No. 103, A bill to be entitled "An Act increasing the salary of the official shorthand reporter of the Twenty-second Judicial District of Texas Nine Hundred (\$900.00) Dollars; providing the manner of the payment of such increase of salary, and declaring an emergency."

Read first time and referred to Committee in Judicial Districts.

By Senator Hertzberg:
S. B. No. 104, A bill to be entitled "An Act to prevent any person, firm, corporation or association from placing before the public any advertisement relating to merchandise, securities, service or any other thing offered to the public, containing an assertion, representation or statement of fact which is untrue, deceptive or misleading; providing a penalty for the violation thereof, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Russell:
S. B. No. 105, A bill to be entitled "An Act to amend Article 29, Title 5, of the Revised Civil Statutes of Texas, 1911, and to create the Tenth Supreme Judicial District of Texas, and to provide for the organization of a Court of Civil Appeals within the Tenth Supreme Judicial District of Texas and fixing the time when this Act shall become effective and providing for the appointment of the judges thereof, and repealing all laws and parts of laws in conflict therewith."

Read first time and referred to Committee on Judicial Districts.

By Senator Lewis:
S. B. No. 106, A bill to be entitled "An Act making appropriation for fuel, light, heat and power for the Sam Houston Normal Institute; for needed equipment, for the student cafeteria for said Institute, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Williams:

S. B. No. 107, A bill to be entitled "An Act to fix and establish a legal rate for the publication of all proclamations, advertising, or notices of all kinds required by law to be published in newspapers in this State for the State, counties or municipalities, or in any legal proceedings, providing for the filing by newspapers with the Board of Control at Austin, Texas, of a sworn statement of their regular rate for advertising to be open to public inspection; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Public Printing.

By Senator Parr:

S. B. No. 108, A bill to be entitled "An Act to amend an Act entitled An Act to prohibit the pernicious practice of "hazing" in the State educational institutions, to provide penalties therefor, to provide for the dismissal of teachers, instructors, members of faculties, officers, and directors of such State institutions who permit such practices, for their ineligibility, for services as such teachers, instructors, members of faculties, and officers and directors for a term of years thereafter repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Witt:

S. B. No. 109, A bill to be entitled "An Act providing that freight charges on car loads of coal delivered at any point within the State of Texas, where railroad track weighing scales are owned, or used, or maintained at the point of delivery, or in the line of transit, shall be based upon the actual weight of said coal, prescribing the manner of weighing such coal; providing a penalty for violation of any provision of this Act repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Witt:

S. B. No. 110, A bill to be entitled

"An Act forbidding transaction of business in Texas under an assumed name other than the real name or names of the individuals conducting such business, unless such individuals file in the office of the clerk of the county where such business is to be conducted a certificate containing the names and addresses of such; providing for the keeping of special record of such certificates by the county clerks of the State; providing for a filing fee to be paid the county clerk for filing such certificate, making it a misdemeanor not to comply with the provisions of the Act, and fixing a penalty for such failure."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senators Dudley, Hertzberg, Bledsoe:

S. B. No. 111, A bill to be entitled "An Act authorizing the removal of the Main University of Texas from its present site in the city of Austin, contiguous to the said city of Austin, Travis County, to a new site in and now owned by the University, known as the Brackenridge land; appropriating the unexpended balance of the University available fund and all of such available fund to accrue for the fiscal years ending August 31, 1922, and August 31, 1923, to meet such expenditures as are incident to or necessary for the preparation of removal of the University, for the purchase of additional lands adjacent to the new site, and for the erection of new buildings upon such site; authorizing the Board of Control of the State to ascertain the value of the University buildings and lands on the present site and report thereon; authorizing the Legislature to purchase the buildings and lands now used by the Main University in the city of Austin at a fair valuation, making payments therefor, by appropriation for the general revenue; providing that the removal of the Main University shall be accomplished at such time and in such manner as the Board of Regents shall find practicable, and for the continued use of the present buildings by the University until the removal is accomplished; validating acts of the Board of Regents, notwithstanding the removal of the institution to the new site; and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator McNealus:

S. B. No. 112, A bill to be entitled "An Act to amend Article 1121 of the Revised Civil Statutes of the State of Texas (prescribing the purposes for which private corporations may be organized) by adding thereto Section 81, authorizing the organization of holding companies for the purpose of dealing in the capital stock, bonds, mortgages, debentures, notes, and other securities and evidences of indebtedness of other corporations."

Read first time and referred to the Committee on Internal Improvements.

Senate Concurrent Resolution No. 4.

By Senator Hertzberg:

Whereas, the Alamo Mission Chapter of the Daughters of the Republic of Texas, the legal custodians of that sacred shrine, the Alamo, have rendered a great and patriotic service to the State of Texas in placing upon the Alamo a new, substantial, permanent, concrete roof in lieu of the old roof which had rotted away, and was dangerous, unsightly and unsafe; and

Whereas, after securing from the Government of Texas permission to erect said roof, they, by their efforts, raised over twelve thousand dollars for this said purpose; and

Whereas, this sacred shrine of Texas liberty, the history of which thrills every Texan and every patriot the world over, has through their efforts thus been preserved; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, that the thanks of the State of Texas be extended to this patriotic band of women, with the assurance that their patriotism and unselfishness is deeply appreciated, and that the State of Texas rejoices that their noble efforts have been crowned with success, and acknowledges a deep debt of gratitude to them.

The resolution was read and adopted.

Simple Resolution No. 27.

By Senator Richards:

Whereas, the Hon. James A. Harley, a distinguished citizen of Texas and

a former member of this body, is in the city; therefore, be it

Resolved that he be extended the privileges of the floor of the Senate, and that he be invited to address the Senate.

RICHARDS,
BAILEY.

The resolution was read and adopted.

The Chair appointed Senators Richards, Bailey and Hall as a committee to escort former Senator Harley to the President's stand.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 24, 1921.

Lieutenant Governor Lynch Davidson,
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted:

H. C. R. No. 9, providing for the publication of a Legislative Manual.

H. C. R. No. 11, providing for purchase of maps of Texas for use of members of Legislature.

The House has passed the following bills:

H. B. No. 22, A bill to be entitled "An Act to amend Article 696, Chapter 1, Title 12, of the Revised Criminal Statutes of Texas, as amended by the Acts of the Thirty-third Legislature."

H. B. No. 28, A bill to be entitled "An Act for the protection of stock-raisers and farmers; providing for the destruction of degrading wild animals; making an appropriation therefor, and providing the method how it shall be expended; to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 42, A bill to be entitled "An Act putting into effect amended Section 4, Article 11, of the Constitution relating to cities and towns having a population of five thousand or less, and amending Section 5, of Article 11, of the Constitution relating to cities having more than five thousand inhabitants and not having special charters; providing for the levying, assessment and collection of taxes by such cities; providing for the issuance of bonds by such cities payable out of said taxes; validating certain bond elections; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 127, A bill to be entitled

"An Act providing for the assessment and collection of taxes for all purposes; except State purposes, on lands acquired and owned by the State for the purposes of establishing State farms and employing convict labor on State account, and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 106, A bill to be entitled "An Act extending for a period of five years from the date of permit, on certain specified conditions, all permits to prospect for oil and gas heretofore issued on University land and public school land which is unsold at the time this Act goes into effect, and river beds or channels, and fresh water lakes, and islands therein, which have not expired, and extending for a like period and on like conditions all permits to prospect for oil and gas heretofore issued on said land and said areas and all permits to prospect for oil and gas heretofore issued after the Mineral Act of 1917 went into effect on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas within tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas, which permits have expired at the time this Act goes into effect, but on which the drilling of a well or wells has been begun in good faith or with reference to which permits and the rights of the owner of the same to the possession of the area included therein bona fide litigation has existed during the whole or a part of the term of the permit; providing that said permits are extended on the condition that the owner pay to the State annually in advance, during the life of the permit, ten cents per acre, and all past due payments, and that the owner of the permit shall drill, at the direction of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect State's interest in the area included in the permit, and shall resume and diligently continue drilling already begun, and authorizing the Commissioner of the Land Office to forfeit the permit for the failure to make the payments aforesaid or to drill the offset well or wells or to resume or continue drilling; providing that, if oil or gas should be produced in paying quantities the owner of the permit shall apply for and obtain lease upon the area without the payment of any additional sum of money and for a period not to

exceed ten years, subject to renewal or renewals, providing for the filing of affidavits with reference to drilling or pendency of litigation, and declaring an emergency."

Respectfully submitted,
N. K. BROWN, Chief Clerk,
House of Representatives.

House Bills Read First and Referred.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read first time, the following House Bills:

H. B. No. 28, Referred to Committee on Stock and Stock Raising.

H. B. No. 42, Referred to Committee on Towns and City Corporations.

H. B. No. 127, Referred to Committee on Public Lands and Land Office.

H. B. No. 106, Referred to Committee on Public Lands and Land Office.

H. B. No. 22, Referred to Committee on Criminal Jurisprudence.

H. C. R. No. 7, Referred to Committee on Contingent Expenses.

H. C. R. No. 9, Referred to Committee on Rules.

House Concurrent Resolution No. 7 Signed by Chair.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign after its caption had been read, the following:

H. C. R. No. 7, Inviting Hon. Henry Watterson to address the Legislature.

Senate Concurrent Resolution No. 5.

By Senator Hertzberg:

Whereas, A bill has been introduced in the Senate of Texas providing for the removal of the University of Texas from its present site to a site on the Colorado River in the city of Austin; and

Whereas, Said removal was originally advocated by Dr. Robt. E. Vinson, President of the University of Texas, who has given the matter great thought and consideration; and

Whereas, It is a vital matter to this great institution and one to be approached with a great deal of care,

and a question upon which the members of both Houses of the Legislature should have the fullest information. Now, therefore, be it

Resolved, That Dr. Robt. E. Vinson be invited to address a joint session of the Legislature in the Hall of the House of Representatives on Tuesday evening, February 1st, at 8:00 o'clock.

The resolution was read and adopted.

Departments to Furnish Information.

Here Senator Woods called attention to a resolution, adopted by the Senate at the Third Called Session of the Thirty-sixth Legislature, which resolution provided that the heads of the various departments, appointed and elective, to furnish the Senate with certain information relative to the expense of such department, and asked if any notice of the resolution had been given.

Being informed that no special notice had been given, Senator Woods moved that the Secretary of the Senate notify the head of each department, mentioned in the resolution, and to accompany the notice with a copy of the resolution.

The motion was adopted.

Excused.

On motion of Senator Dudley, Senator Bledsoe was excused for non-attendance for yesterday and the balance of this week.

Executive Session.

Here the Chair announced that the hour for the Senate to sit in executive session had arrived and directed the Sergeant-at-Arms to clear the Chamber of all not entitled to the floor during executive session.

In the Senate.

Executive Session—Time Set For.

Senator Bailey moved that the Senate sit in executive session at 11 o'clock Thursday morning, January 27, to consider such appointments

by the Governor as have not been acted on.

The motion was adopted.

Adjournment.

On motion of Senator Woods the Senate adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Note: By motion of Senator McNealus, the Senate instructed that only brief items about contents of petitions be made in the Journal.

The Chair had read a telegram from Wm. A. Cathey and E. V. Hardway, Houston, urging confirmation of J. A. Herring as Prison Commissioner; also a message from Geo. W. Dixon, Houston, asking that the confirmation be postponed; also a message from B. F. Lee, Water Valley, Texas, asking confirmation; also message from W. A. Hanger, Fort Worth, asking confirmation; also a communication from Geo. W. Dixon protesting confirmation.

The Chair had read a communication from M. B. Pelton Rice Farm, Houston, protesting against the minimum wage legislation; also communication from San Antonio and other places, favoring Real Estate License Bill.

Committee Reports.

(Floor Report.)

Senate Chamber,

Austin, Texas, Jan. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, having under consideration H. B. No. 106, referred to your committee, same being entitled,

"An Act extending for a period of five years from the date of the permit, on certain specified conditions, all permits to prospect for oil and gas heretofore issued on University land, and public school land which is un-

sold at the time this Act goes into effect, and river beds or channels and fresh water lakes and islands therein, which have not expired and extending for a like period and on like conditions all permits to prospect for oil and gas heretofore issued on said land and said areas and all permits to prospect for oil and gas heretofore issued after the Mineral Act, 1917, went into effect, on islands, salt water lakes, bays, inlets, marshes and reefs owned by the State of Texas without tide water limits and that portion of the Gulf of Mexico within the jurisdiction of Texas, which permits have expired at the time this Act goes into effect, but on which the drilling of a well or wells has been begun in good faith or with reference to which permits and the right of the owner of the same to the possession of the area included therein bona fide litigation has existed during the whole or a part of the term of the permit; providing that said permits are extended on the condition that the owner pay to the State annually in advance, during the life of the permit, ten cents per acre, and all past due payments, and that the owner of the permit shall drill, at the direction of the Commissioner of the General Land Office, such offset well or wells as may be necessary to protect the State's interests in the area included in the permit, and shall resume and diligently continue drilling already begun; and authorizing the Commissioner of the Land Office to forfeit the permit for the failure to make the payments aforesaid or to drill the offset well or wells or to resume or continue drilling, providing, that, if oil or gas should be produced in paying quantities, the owner of the permit shall apply for and obtain a lease upon the area without the payment of an additional sum of money and for a period not to exceed ten years, subject to renewal or renewals, providing for the filing of affidavits with reference to drilling or pendency of litigation, and declaring an emergency."

And having duly considered said bill beg to report the same to the Senate with our recommendation that it do pass.

Davidson, Chairman; Dudley, Russell, Fairchild, Witt, Darwin.

Senator McMillin moved that the report be amended to be "not" printed.

The motion prevailed.

10—Senate.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 73, A bill to be entitled

"An Enabling Act to put into effect the amendment of Section 3 of Article 7 of the Constitution of the State of Texas, in accordance with the will of the people as expressed by vote in the general election held on November 2, 1920,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Educational Affairs.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 39, A bill to be entitled

"An Act to amend Section 1, Chapter 140, of the Acts of 1917, being Article 3934½ of Complete Texas Statutes, compiled by Vernon Law Book Company, and providing that said Act shall not apply to manufacturing establishments, industrial plants and grain elevators, where such establishments, plants, elevators and the buildings of said concern are constructed of fireproof material, and in which sleeping apartments above first floor are not provided, and in which persons under the age of sixteen years are not employed above first floor, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following committee amendments:

1. Amend the caption so as hereafter to read: A bill to be entitled "An Act to amend Section 1 of Chapter 140, of the General Laws of the Thirty-fifth Legislature of Texas, enacted at the Regular Session thereof, approved March 30th, 1917, relating to the erection of fire escapes on certain buildings in this State, so as to provide that said Act shall not apply to manufacturing establishments, industrial plants and grain elevators, where such establishments, plants, elevators and the buildings of said concerns are construction of fireproof material, and

in which sleeping apartments above the first floor thereon are not provided, and in which persons under the age of 16 years are not employed above the first floor, and declaring an emergency."

2. Amend Section 1 of the bill by striking out in line 1 of Section 1 the word "Acts" and inserting in lieu thereof the words "General Laws" and by inserting between the word "Texas" and the word "be" in said line 1 of Section 1, the words "Approved March 30th, 1917."

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 92, A bill to be entitled,

"An Act to provide for the suspension of sentence in certain felony cases, prescribing conditions under which application therefor may be made, the form of such application, the form of judgment where suspension is recommended by the jury, supervision by the court during the term of suspension, the manner of putting into effect the sentence suspended upon a subsequent conviction for felony, the manner of setting aside the judgment suspending sentence, the manner of collecting, preserving and dispensing information, concerning those convicted of felonies, defining 'conviction,' repealing all laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be referred to the Committee on Criminal Jurisprudence.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 54, A bill to be entitled

"An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas of 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142 of the General Laws, and as amended by Chapter 55 of the General Laws of the Regular Session of the

Thirty-fifth Legislature, as amended by Chapter 32, General Laws of the Third Called Session of the Thirty-sixth Legislature, relating to the appointment and compensation of deputies and assistants of certain district and county officers and relating to the fees, compensation and expenses of office of certain county and district officers, so as to provide for the appointment and compensation out of county funds of special deputy district clerks to attend upon the sessions of district courts in counties of two hundred thousand population or more, and containing a city of over one hundred and sixty thousand, in which counties there are more than one district court, including criminal district courts, upon the direction of the judge of such court under the circumstances set forth in the Act; correcting certain inaccuracies in the wording of said Article 3903; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Jan. 24, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 31, A bill to be entitled,

"An Act amending Articles 3197, 3108 and 3140, Title 49, Revised Civil Statutes, 1911, providing that county executive committees shall be composed of one man and one woman from each voting or justice precinct in such county, providing for the election of a county chairman and vice chairman of the county executive committee, one of whom shall be a man and the other a woman; providing that State convention shall, among other things, elect a chairman and a vice chairman of the State executive committee, one of whom shall be a man and the other a woman, and sixty-two (62) members thereof, one man and one woman from each senatorial district of the State, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 27, A bill to be entitled,

"An Act to amend Section 1 of Chap-
ter 16, being an Act of the Regular
Session of the Thirty-fifth Legislature,
1917, as amended by Chapter 58, being
an Act of the Regular Session of the
Thirty-fifth Legislature, 1917, relating
to the creation of a Juvenile Board
within certain counties of this State
and prescribing the duties and powers
of such Board, including the appoint-
ment by it of Probation Officers and
providing for the payment of compen-
sation of such officers and allowing
the said District Judges an additional
salary, to be paid out of the general
fund of such county, and declaring an
emergency,"

Have had the same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil
Jurisprudence, to whom was referred
S. B. No. 72, A bill to be entitled,

"An Act authorizing certain officers
of the University of Texas to make
certified copies of public records de-
posited in the Library of that institu-
tion and providing that said certified
copies shall be lawful and have the
same force and effect as if made by
the County Clerks of the counties
from whence the same are transferred;
and authorizing County Commission-
ers and other custodians of public
documents, in their discretion, to lend
to the University of Texas those public
records in their custody which are
mainly of historical value, to enable
that institution to make copies for his-
torical study,"

Have had the same under considera-
tion, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred
S. B. No. 97, A bill to be entitled
"An Act for the relief of railway cor-
porations having charters amended
since the first day of January, 1896,
and which have failed to construct
any extension or any part thereof,
authorized by said amendment or
amendments, within the time re-
quired by law, and declaring an emer-
gency,"

Have had the same under consider-
ation, and I am instructed to report
it back to the Senate with the
recommendation that it do pass.

BAILEY, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, a majority of your Com-
mittee on Agricultural Affairs, to
whom was referred Senate Bill No. 5,
have had the same under considera-
tion, and I am instructed to report
the same back to the Senate with the
recommendation that it do pass.

PARR, Chairman,

(Minority Report)

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
the Senate.

Sir: We, a minority of your Com-
mittee on Agricultural Affairs, to
whom was referred Senate Bill No. 5,
have had the same under considera-
tion, and I am instructed to report
the same back to the Senate with the
recommendation that it do not pass.

BUCHANAN.
MURPHY.

(Majority Report)

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of
The Senate.

Sir: I am directed by a majority
of the Committee on State Affairs,
to whom was referred

S. B. No. 26, A bill to be entitled
"An Act for the relief of the ad
valorem tax payers of the State of
Texas, etc.,"

Have had the same under consid-
eration, and I am instructed to
report to the Senate, that after

considering the said bill they recommend that the said bill do not pass.
CARLOCK, Chairman.

(Minority Report)

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, the undersigned Senators being a minority of the Committee on State Affairs to whom was referred

S. B. No. 26, A bill to be entitled "An Act for the relief of the ad valorem tax payers of the State of Texas, etc.,"

After full consideration of the same, report back to the Senate our recommendation that the said bill do pass.

DUDLEY.
WITT.
WILLIAMS.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 43, A bill to be entitled "An Act to amend Article 900, Title 10, of the Code of Criminal Procedure of the State of Texas of 1911, so as to make bail bonds good in all criminal cases until verdict or judgment and until the defendant is taken in custody by the sheriff, as amended by Chapter 10 of the General Laws of the Thirty-fifth Legislature, 1907, and extending the same for a period of thirty days after the date of overruling of the motion for a new trial,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HERTZBERG, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 24, A bill to be entitled "An Act to amend Article 1428, Title 17, Chapter 18, Penal Code of

Texas, relating to obtaining board or lodging or thing of value under false pretenses; drawing or delivering any check, draft or order to defraud; fixing penalty; providing that certain facts shall be prima facie evidence; making the law cumulative and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HERTZBERG, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 59, A bill to be entitled "An Act to provide that all judgments for pecuniary fines in misdemeanor cases shall be suspended for a period of thirty days after the date of said judgment after which date only capias profine may issue thereon if not satisfied, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the committee amendments.

HERTZBERG, Chairman.

Committee Room,
Austin, Texas, Jan. 25, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 65 carefully compared and find same to be correctly engrossed.

HARP, Chairman.

Committee Room,
Austin, Texas, Jan. 24, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, a majority of your Committee on Agriculture, to whom was referred Senate Bill No. 30, have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, January 26, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|------------|-----------|
| Baugh. | Lewis. |
| Bledsoe. | McMillin. |
| Carlock. | McNealus. |
| Clark. | Murphy. |
| Cousins. | Page. |
| Darwin. | Parr. |
| Davidson. | Richards. |
| Dorough. | Rogers. |
| Dudley. | Russell. |
| Fairchild. | Suiter. |
| Floyd. | Waits. |
| Hall. | Williams. |
| Harp. | Wood. |
| Hertzberg. | Woods. |

Absent.

Witt.

Absent—Excused.

Bailey.

Buchanan.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

On motion of Senator Clark, Senator Bailey was excused for the balance of this week, on account of important business.

On motion of Senator Cousins, Senator Buchanan was excused for the balance of the week on account of important business.

On motion of Senator Hertzberg, Senator Witt was excused for today.

On motion of Senator Woods, Senator Suiter was excused for yesterday.

Simple Resolution No. 28.

By Senator Rodgers:

Whereas, Hon. Ed. Westbrook, a distinguished citizen of Texas, and a former member of this body is in the city; therefore, be it

Resolved, That he be extended the

privileges of the floor and invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Rogers, Lewis and Baugh to escort Mr. Westbrook to the president's chair, who, after being introduced, addressed the Senate briefly.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 25, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 1, A bill to be entitled "An Act to amend Article 1173, Chapter 4, Title 15, and Article 1142, Chapter 3, Title 15, of the Code of Criminal Procedure of the State of Texas, relating to the fees allowed sheriffs or other peace officers performing the same services in misdemeanor cases to be taxable against the defendant on conviction, and the allowance to sheriffs by the commissioners court of the several counties in this State for the safekeeping, support and maintenance of prisoners in jail, or under guard, and declaring an emergency."

H. B. No. 6, A bill to be entitled "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas, so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard, on a hearing before the court, without the necessity of a jury trial, which will be granted if requested, as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for 'Guardianship of Persons of Unsound Mind and Habitual Drunkards,' and validating all appointments heretofore made without a jury trial."

H. B. No. 20, A bill to be entitled "An Act to amend Articles 586 and 587, Chapter 6, Title 11, of the Penal Code of the State of Texas, so as to provide a penalty for betting on all public elections, and defining public elections, and declaring an emergency."

Respectfully Submitted,

NOEL K. BROWN,

Chief Clerk House of Representatives.